

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SUSANA LOZADA,

Plaintiff,

-against-

VERDE ENERGY USA, INC.,

Defendant.

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JUDGMENT

15-CV- 0186 (JG)

Defendant Verde Energy USA Inc. having offered Plaintiff Susana Lozada to take a judgment against it in the amount of Three Thousand (\$3,000.00) Dollars and Plaintiff Susana Lozada having accepted said offer; Defendant Verde Energy USA, Inc. agrees to comply with Plaintiff's request for injunctive relief in this action for Verde to cease and desist all calls by or on behalf of Verde to the telephone number provided by the Plaintiff: (xxx) xxx-0004; Defendant Verde Energy USA, Inc. agrees to pay the Plaintiff's 28 U.S.C. § 1920 costs accrued to the date in this action, attorney fees are not recoverable under the Telephone Consumer Protection Act, thus, Verde Energy USA, Inc., excludes attorney fees from its offer; Defendant Verde Energy USA, Inc.'s offer is unconditional and is made to fully and finally resolve all claims asserted against it in this action; Defendant Verde Energy USA, Inc.'s offer of judgment will remain open for fourteen (14) days after service on Plaintiff's counsel; If Plaintiff does not accept this offer in writing within fourteen (14) days after service, then Defendant Verde Energy USA, Inc.'s offer shall be deemed withdrawn in accordance with Fed. R. Civ. P. 68(b); If Plaintiff does not accept this offer, she may become be obligated to pay Defendant Verde's costs incurred after making of

JUDGMENT 15-CV-0186 (JG)

this offer; this offer of judgment is made for the purposes specified in Fed. R. Civ. P. 68, and shall not be construed as either an admission that Defendant Verde Energy USA, Inc. is liable in this action or that Plaintiff Susana Lozada has suffered any damage(s); this offer of judgment is intended to fully and finally resolve all of Plaintiff's claims in this action, including without limitation any and all claims for statutory damages, injunctive relief, and costs of the suit, as may be properly awarded under the Telephone Consumer Protection Act; it is

ORDERED and ADJUDGED that judgment is hereby entered pursuant to Rule 68 of the Federal Rules of Civil Procedure in favor of Plaintiff Susana Lozada and against Defendant Verde Energy USA, Inc., in the total sum of Three Thousand (\$3,000.00) Dollars.

Dated: Brooklyn, New York
April 15, 2015

Douglas C. Palmer
Clerk of Court

by: /s/ Janet Hamilton
Deputy Clerk